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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

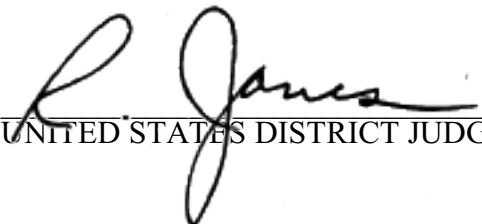
8 TULIO F. PATINO,)
9 Petitioner,) 3:09-cv-0336-RCJ-RAM
10 vs.) **ORDER**
11 JACK PALMER, *et al.*,)
12 Respondents.)
13)

14 Tulio Patino, a Nevada prisoner represented by counsel, has filed a Motion for Partial
15 Dismissal (docket #25) seeking dismissal without prejudice of his unexhausted second ground for relief.
16 Respondents have not opposed this motion. Good cause appear,

17 **IT IS THEREFORE ORDERED** that petitioner's motion (docket #25) is **granted**.
18 Ground two of the petition is **dismissed without prejudice**.

19 **IT IS FURTHER ORDERED** that respondents shall have thirty (30) days to file their
20 answer to the remaining grounds for relief. Thereafter, petitioner shall have thirty (30) days to reply.

21 DATED: This 26th day of October, 2010.

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24 UNITED STATES DISTRICT JUDGE
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